

**City Of Santee
Regular Meeting Agenda**

**Santee City Council
Community Development Commission
Santee Public Financing Authority**

**Council / Commission / Authority Chamber
10601 Magnolia Avenue
Santee, CA 92071**

**February 28, 2007
7:00 PM**

(Call meeting to order as City Council/Community Development Commission/Public Financing Authority)

ROLL CALL: Mayor Randy Voepel
Vice Mayor John Minto
Council Members Jack Dale, Brian Jones and Hal Ryan

INVOCATION: Pastor Justin McMurdie, Santee Christian Church

PLEDGE OF ALLEGIANCE:

ADJOURNMENT IN MEMORY: Sgt. Joseph W. Perry

PROCLAMATION: **DESIGNATING ARBOR DAY 2007 & CITY OF SANTEE AS
TREE CITY USA FOR 2006**

**PROCLAMATION AND PRESENTATION TO STAFF FOR
OUTSTANDING GRAFFITI ABATEMENT EFFORTS**

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

1. CONSENT CALENDAR:

Consent Calendar items are considered routine and will be approved by one motion, with no separate discussion prior to voting. Council Members, staff or public may request specific items be removed from the Consent Calendar for separate discussion or action. Speaker slips for this category must be presented to the City Clerk before the meeting is called to order. Speakers are limited to 3 minutes.

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.
- (B) Approval of Meeting Minutes:
Santee City Council 2-14-07 Regular Meeting
Community Development Commission 2-14-07 Regular Meeting
Santee Public Financing Authority 2-14-07 Regular Meeting
- (C) Approval of Payment of Demands as Presented.
- (D) Award Contracts for EMS Medical Supplies through June 30, 2008 to Progressive Medical International (PMI) for \$67,400.00 for Categories 1, 2, 3, 4, 6 and 7; Bound Tree Medical LLC for \$250.00 for Category 5; and Tri-Anim Health Services Incorporated for \$7,700.00 for Categories 8 and 9; and authorize City Manager to approve up to three (3) additional twelve (12) month contract extensions and/or a one time option to extend for 90 days.
- (E) Approving Professional Services Agreements for Landscape and Horticultural Management Services.
- (F) Authorization to Increase Staff's Authority to Approve Construction Contract Change Orders for Archer Western in an Amount Equal to Reimbursements Received from Outside Agencies for the Forester Creek Improvement Project, CIP 2002-21.
- (G) Authorization for Staff to Approve Additional Construction Management Services from PBS&J in an Amount Equal to that Reimbursed by Outside Agencies for the Forester Creek Improvement Project, CIP 2002-21.
- (H) Approval of the Reduction of Retention for the Citywide Pavement Repair and Rehabilitation Project, CIP 2006-05.
- (I) Approval of the Expenditure of \$101,532.25 to pay for January 2007 Legal Services and Related Costs.

2. PUBLIC HEARINGS:

- (A) Approving the Engineer's Report, the Fiscal Year 2006-07 Annexation and Setting of Assessment Rates for the Riverwalk Subdivision (TM04-01) to the Town Center Landscape Maintenance District.**

Recommendation:

1. Conduct and Close the Public Hearing,
2. Adopt Resolution Approving the Engineer's Report,
3. Tally votes, and
4. Adopt Resolution declaring the assessment ballot results and confirming or denying the assessment diagram and levy, as applicable, based on the outcome of the property owner ballot protest procedure.

- (B) Public Hearing for a Conditional Use Permit (P06-03) to Construct a Commercial Retail Building Including a Drive Through Fast Food Restaurant and Outdoor RV Storage at 10050-55 Mission Gorge Road in the GC (General Commercial) Zone. (Applicant: Tamberly Associates, LLC).**

Recommendation:

1. Conduct and Close the Public Hearing, and
2. Approve the Negative Declaration as complete and in compliance with the provision f the California Environmental Quality Act (CEQA).
3. Adopt Resolution Approving Conditional Use Permit P06-03.

- (C) Public Hearing to Assess and Prioritize Community Development and Housing Needs as Described in the Consolidated Plan and to Solicit Proposals for Program Year 2007 Community Development Block Grant (CDBG) Funding and Home Funds.**

Recommendation:

- (1) Conduct and Continue the Public Hearing to the March 14, 2007 City Council meeting; and
- (2) Instruct staff to prepare a Staff Report relating to CDBG requests for Council decision on March 14, 2007.

- (D) Public Hearing to Amend Section 16.20.020 of the Santee Municipal Code (Subdivision Ordinance) Regarding Residential Condominium Conversions.**

Recommendation:

1. Conduct and Close the Public Hearing, and
2. Approve Amendment to Section 16.20.020 of the Santee Municipal Code.
3. Introduce Ordinance for First Reading.

3. ORDINANCES (First Reading):

See Item 2D

4. CITY COUNCIL REPORTS:

(A) Appointment of Second Alternate Representative on San Diego Association of Governments (SANDAG). (Voepel & Dale)

Recommendation: Appoint Council Member Minto as the City's Second Alternate Representative on SANDAG.

5. CONTINUED BUSINESS:

(A) Synthetic Turf Fields – Santana High School Football Stadium.

Recommendation: Per City Council's direction, allocate \$200,000 toward the Santana synthetic turf field project from Park in Lieu fees contingent upon successfully amending or redrafting the Joint Use Agreement with the District.

(B) Resolution in Opposition to a Major Power Plant in the Southeast Corner of Miramar MCAS, Appropriating Funding and Designation of a Strategy Team to Support the City's Efforts.

Recommendation: Adopt Resolution and authorize the City Manager and the City Attorney to put in place the legal team outlined in Attachment "A" together as soon as possible.

6. NEW BUSINESS: None.

7. COMMUNICATION FROM THE PUBLIC:

Each person wishing to address the City Council regarding items not on the posted agenda may do so at this time. In accordance with State law, Council may not take action on an item not scheduled on the Agenda. If appropriate, the item will be referred to the City Manager or placed on a future agenda.

8. CITY MANAGER REPORTS:

(A) 2006 Employee Service Awards.

Recommendation: Recognize individuals for years of service.

9. COMMUNITY DEVELOPMENT COMMISSION:

(Note: Minutes appear as Item 1B)

10. SANTEE PUBLIC FINANCING AUTHORITY:

(Note: Minutes appear as Item 1B)

11. CITY ATTORNEY REPORTS:

12. CLOSED SESSION:

(A) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Gov. Code section 54956.9)

MHC Financing Limited Partnership Two v. City of Santee (Case No. 01 CV 2160)

MHC Financing Limited Partnership Two v. City of Santee (Case No. 03 CV 2225)

MHC Financing Limited Partnership Two v. City of Santee (Case No. GIC 777094)

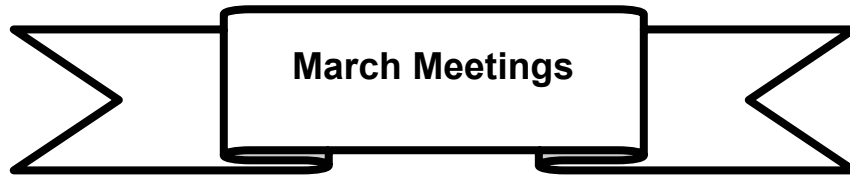
City of Santee v. MHC Financing Limited Partnership Two (Case No. GIE 020524)

(B) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

(Gov. Code section 54956.9(b))

Number of Potential Cases: 1

13. ADJOURNMENT:



Mar	01	Santee Park and Recreation Committee	Chamber Conf. Rm
Mar	14	City Council/CDC/SPFA Meeting	Chamber
Mar	22	Santee Human Relations Advisory Board	Chamber Conf Rm
Mar	28	City Council/CDC/SPFA Meeting	Chamber

The Santee City Council welcomes you and encourages your continued interest and involvement in the City's decision-making process.

For your convenience, a complete Agenda Packet is available for public review at the Santee Library, City Hall and on the City's website at www.ci.santee.ca.us.

The City of Santee complies with the Americans with Disabilities Act. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the American with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office at (619) 258-4100, ext. 112 at least 48 hours before the meeting, if possible.

AFFIDAVIT OF POSTING AGENDA

State of California }
 County of San Diego } ss.
 City of Santee }

I, Linda A. Troyan, MMC, City Clerk of the City of Santee, hereby declare, under penalty of perjury, that a copy of this Agenda was posted in accordance with Resolution 61-2003 on February 23, 2007 at 4:30 p.m.

 Signature

2/23/07

Date

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE ADJOURNMENT IN MEMORY: SERGEANT JOSEPH W. PERRY

DIRECTOR/DEPARTMENT Randy Voepel, Mayor

SUMMARY Tonight's meeting will be adjourned in memory of Sergeant Joseph W. Perry. Sergeant Perry was a military police officer for the 21st Military Police Company (airborne) at the forward operating base Falcon, Baghdad, Iraq in support of Operation Iraqi Freedom. He died on October 2, 2006.

Sergeant Perry enlisted in the army shortly after 9/11 with the express desire to defend our country against terrorism and knowing that he would be going to war. He was ready and willing to make the ultimate sacrifice so that Americans could continue to have the freedoms that we enjoy.

When Sergeant Perry arrived in Iraq, he saw that his service had another purpose as well. To help others around the world have the same basic human rights that Americans do. Sergeant Perry believed in what he was fighting for and said that he never felt more alive than when he was in Iraq.

Sergeant Perry earned his first Bronze Star with Valor for heroism in battle in January 2006 shortly after his company arrived in Iraq. His squad became involved in a fire fight. Two Iraqi police officers were shot and killed and several others were wounded. While the medic worked on the wounded, Sergeant Perry and another soldier set up a perimeter around the medic as she worked. Somehow, he spotted an insurgent with a rocket propelled grenade launcher hidden in a building. Sergeant Perry fired two shots and killed him before he could fire. If not for his quick actions and skill, the entire squad and the Iraqi police they were working with would have been killed that day. After that, Sergeant Perry attained an almost superhuman stature among the soldiers in his company for his willingness to forge ahead in battle.

Sergeant Perry is survived by his parents, Kirsten Yuhl and Vernon Torres. They are very proud of their son's selflessness and willingness to sacrifice for others. They are proud of the man he became. Sergeant Joseph W. Perry is their hero.

FINANCIAL STATEMENT N/A

RECOMMENDATION Adjourn in memory of Sergeant Joseph W. Perry.

ATTACHMENTS (Listed Below)

Adjournment Certificate.

In Deepest Sympathy

*The Santee City Council This Day Adjourned
In Memory of*

SERGEANT JOSEPH W. PERRY

February 28, 2007

Mayor Randy Voepel

Vice Mayor John W. Minto

Council Member Hal Ryan

Council Member Jack E. Dale

Council Member Brian W. Jones

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE PROCLAMATION: DESIGNATING ARBOR DAY 2007 AND
RECOGNIZING THE CITY OF SANTEE AS A TREE CITY USA FOR
2006

DIRECTOR/DEPARTMENT Randy Voepel, Mayor

SUMMARY A National Arbor Day Foundation program, Tree City USA, recognizes
U.S. towns and cities that develop comprehensive urban forestry programs.

Tree City USA began as a 1976 Bicentennial project co-sponsored by the National Association
of State Foresters and the USDA-Forest Service. The National League of Cities and the U.S.
conference of Mayors are now co-sponsors as well.

To become a Tree City USA, a community must meet four standards: establish a tree board or
department, adopt a community tree care ordinance, develop a comprehensive community
forestry program, and schedule an Arbor Day observance and proclamation.

“Trees in our cities and towns help clean the air, conserve soil and water, moderate
temperature, and bring nature into our daily lives,” said John Rosenow, president of the
National Arbor Day Foundation. “Tree City USA designation recognizes the work of elected
officials, staff, and citizens who plant and care for the community forest.”

The National Arbor Day Foundation has named the City of Santee a Tree City USA for 2006.
It is the fifth year Santee has received this national recognition.

Lynette Short, Regional Field Specialist of the California Department of Forestry and Fire
Protection, will be making tonight’s presentation recognizing Santee as a Tree City USA.

FINANCIAL STATEMENT N/A

RECOMMENDATION

Present Proclamation and receive Tree City Flag & Plaque from the California Department of
Forestry and Fire Protection.

ATTACHMENTS (Listed Below)

Arbor Day Proclamation

In Deepest Sympathy

*The Santee City Council This Day Adjourned
In Memory of*

SERGEANT JOSEPH W. PERRY

February 28, 2007

Mayor Randy Voepel

Vice Mayor John W. Minto

Council Member Hal Ryan

Council Member Jack E. Dale

Council Member Brian W. Jones

City of Santee, California

Proclamation

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than one million trees in Nebraska; and

WHEREAS, 2007 is the 135th anniversary of the holiday, and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beauty in our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, the City of Santee is completing a planting of over 50 trees at Mast Park on March 3rd 2007, as part of the SanTree Fest celebration using community volunteer labor.

NOW, THEREFORE, I, Randy Voepel, Mayor of the City of Santee, on behalf of the City Council, do hereby proclaim March 3rd, 2007 as the 135th anniversary celebration of

ARBOR DAY

in the City of Santee, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of February, two thousand-seven, and have caused the Official Seal of the City of Santee to be affixed.

Mayor Randy Voepel

MEETING DATE

FEBRUARY 28, 2008

AGENDA ITEM NO.

ITEM TITLE **PROCLAMATION AND PRESENTATION TO STAFF FOR
OUTSTANDING GRAFFITI ABATEMENT EFFORTS**

DIRECTOR/DEPARTMENT

Randy Voepel, Mayor

SUMMARY

The City of Santee has set a goal to abate graffiti as quickly as possible. In recognition of their dedicated work in maintaining high standards to abate graffiti within the City of Santee the Mayor will be presenting a proclamation and certificates of appreciation to staff.

FINANCIAL STATEMENT

N/A

RECOMMENDATION

Approve the proclamation.

ATTACHMENTS (Listed Below)

Proclamation

City of Santee, California

Proclamation

WHEREAS, graffiti degrades a community, by defacing property; and when graffiti remains in place, it attracts more graffiti; and

WHEREAS, many cities have experienced an increase in graffiti vandalism, there is minimal graffiti in Santee due to the City's aggressive initiative of graffiti abatement in the right-of-way, and efforts to work with property owners for removal of graffiti on private property; and

WHEREAS, graffiti abatement strengthens community image and sense of place, strengthens safety and security, and is an integral part of our citizens' everyday lives; and

WHEREAS, the efficiency of the qualified and dedicated City personnel who remove graffiti is influenced by the understanding of the importance of the work they perform; and

WHEREAS, through the involvement of the many staff members and frontline workers who work as a team, the City becomes a more attractive place for people to live, work, and visit.

NOW, THEREFORE, I, Randy Voepel, Mayor of the City of Santee on behalf of the City Council, do hereby proclaim February 28, 2007 as

Graffiti Busters Day

in The City of Santee and call upon all citizens to recognize the contributions which the Public Services and Code Enforcement staff make every day towards our health, safety, comfort, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand this Twenty Eighth day of February, Two thousand seven, and have caused the Official Seal of the City of Santee to be affixed.

Mayor Randy Voepel

MEETING DATE February 28, 2007

AGENDA ITEM NO.

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DIRECTOR/DEPARTMENT Randy Voepel, Mayor

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Sergeant Perry is survived by his parents, Kirsten Yuhl and Vernon Torres. They are very proud of their son's selflessness and willingness to sacrifice for others. They are proud of the man he became. Sergeant Joseph W. Perry is their hero.

FINANCIAL STATEMENT N/A

RECOMMENDATION Adjourn in memory of Sergeant Joseph W. Perry.

ATTACHMENTS (Listed Below)

Adjournment Certificate.

In Deepest Sympathy

*The Santee City Council This Day Adjourned
In Memory of*

SERGEANT JOSEPH W. PERRY

February 28, 2007

Mayor Randy Voepel

Vice Mayor John W. Minto

Council Member Hal Ryan

Council Member Jack E. Dale

Council Member Brian W. Jones

MEETING DATE: February 28, 2007

AGENDA ITEM NO.

ITEM TITLE APPROVAL OF MEETING MINUTES: SANTEE CITY COUNCIL,
COMMUNITY DEVELOPMENT COMMISSION AND SANTEE PUBLIC
FINANCING AUTHORITY REGULAR MEETING OF FEBRUARY 14, 2007.

DIRECTOR/DEPARTMENT Linda A. Troyan, MMC, City Clerk

SUMMARY

Submitted for your consideration and approval are the minutes of the above meetings.

FINANCIAL STATEMENT N/A

RECOMMENDATION

Approve Minutes

ATTACHMENTS (Listed Below)

Minutes

Minutes

**Santee City Council
Community Development Commission
Santee Public Financing Authority**

Draft

**Council Chambers
10601 Magnolia Avenue
Santee, California**

February 14, 2007

This Regular Meeting of the Santee City Council, Community Development Commission and the Santee Public Financing Authority was called to order by Mayor/Chairperson/Chair Randy Voepel at 7:02 p.m.

Council Members present were: Mayor/Chairperson/Chair Randy Voepel, Vice Mayor/Vice Chairperson/Vice Chair John W. Minto and Council/Commission/Authority Members Brian W. Jones, Jack E. Dale and Hal Ryan.

Staff present were: City Manager/Executive Director/Secretary Keith Till, Deputy City Manager/Director of Development Services Gary Halbert, City/Commission/Authority Attorney Shawn Hagerty, Assistant to the City Manager Kathy Valverde, Finance Director/Treasurer Tim McDermott, Director of Community Services John Coates, Interim Director of Fire and Life Safety Mike Rottenberg, Director of Human Resources Jodene Dunphy, Assistant to the Executive Director Pamela White, City Engineer Steve Cresswell, Santee Sheriff's Station Lieutenant Joe Rodi, City Clerk/Commission Secretary Linda Troyan, and Deputy City Clerk/Deputy Commission Secretary Patsy Bell.

(Note: Hereinafter the titles Mayor, Vice Mayor, Council Member, City Manager, City Attorney, City Clerk and Deputy City Clerk shall be used to indicate Mayor/Chairperson/Chair, Vice Mayor/Vice Chairperson/Vice Chair, Council/Commission/Authority Member, City Manager/Executive Director/Secretary, City/Commission/Authority Attorney, City Clerk/Commission Secretary, Deputy City Clerk/Deputy Commission Secretary.)

The **INVOCATION** was given by Pastor Rod Robison from Crossroads Christian Fellowship and the **PLEDGE OF ALLEGIANCE** was led by Richard Winchell, Meadowbrook HOA President.

ADJOURN IN MEMORY: Ron Shatto

Mayor Voepel presented the Certificate of Adjournment to wife Dianne Shatto and daughters Barbara & Karen Nelson. Jim Montague, speaking on behalf of the family, thanked Council for their support and recognition of Ron.

ITEMS TO BE ADDED, DELETED OR RE-ORDERED ON AGENDA:

Mayor Voepel noted an abstention on Item 1(G) due to a possible conflict of interest with Carlton Oaks Country Club.

1. CONSENT CALENDAR:

- (A) Approval of Reading by Title Only and Waiver of Reading in Full of Ordinances on Agenda.**
- (B) Approval of Meeting Minutes:
Santee City Council 1-24-07 Regular Meeting
Community Development Commission 1-24-07 Regular Meeting
Santee Public Financing Authority 1-24-07 Regular Meeting**
- (C) Approval of Payment of Demands as Presented.**
- (D) Second Reading and Adoption of an Ordinance Amending Sections of Chapters 9.68, 9.60, and 10.20 of the City of Santee Municipal Code to Establish Subsections for First, Second, and Third Offense Violations. (ORD 462)**
- (E) Second Reading and Adoption of an Ordinance Amending Sections of 1.08.010 and 13.42.170 of the City of Santee Municipal Code and Adding Chapter 1.14 Regarding Administrative Citations and Fines. (ORD 463)**
- (F) Adoption of a Resolution Accepting the Improvements and Approving the Release of Retention for the Magnolia Avenue Sidewalks, CIP 2006-10. (Reso 10-2007)**
- (G) Adoption of a Resolution Authorizing the City Manager to Accept a Grant Deed for 43 Acres of Property North of the San Diego River West of Carlton Hills Drive (TET Property). (Reso 11-2007 – Voepel abstained)**
- (H) Authorization to Appropriate State of California Citizens' Option for Public Safety (COPS) Funds and Approve the use of these Funds to Pay a Portion of the Cost of One Community Oriented Policing Deputy.**
- (I) Approval of the Reduction of Retention for the Forester Creek Improvement Project, CIP 2002-21.**
- (J) Authorization to Sole-Source to Best Access Systems for a Keyless Entry System at City Hall in the Amount of \$13,936.53 and Authorization to Approve Change Orders up to 10% of Amount.**
- (K) Authorization to Purchase Bulk Fuel from SOCO Group Inc., per City of San Diego Cooperative Contract and Authorize City Manager to Approve Future Purchase orders per Subsequent Contract Renewals.**

ACTION: On motion of Vice Mayor Minto, seconded by Council Member Jones, the Agenda and Consent Calendar were approved as presented with all voting aye, except Mayor Voepel who abstained on Item 1(G).

2. PUBLIC HEARINGS: None

3. ORDINANCES (First Reading): None

4. CITY COUNCIL REPORTS:

(A) Support for the Miss Santee Pageant. (Voepel)

Mayor Voepel introduced Alex Stathoulis and Troy Hartpence, who are new Directors for the pageant. With the retirement of long-time Director Pam Wilson, Mayor Voepel indicated the need for the City to offer additional support to assist with the transition. Miss Teen Santee Kimberly Swank and Miss Santee Krystall Capurro thanked the City for its continued support over the past year.

ACTION: On motion of Mayor Voepel, seconded by Council Member Dale, an expenditure of \$2,000 was approved to support the Miss Santee Pageant with all voting aye.

(B) Santana High School Turf Fields. (Dale)

Council Member Dale reported that Santana High School is looking to put in synthetic/artificial turf on their football field and is hoping the City of Santee will be able to assist with the funding. The new turf will allow for additional playing time for the high school, as well as open up additional hours for other youth sports groups as called out in the Joint Use Agreement.

Public Speaker: Wade Vickery, Santana High School Athletic Director, requested \$250,000 from the City to go toward putting in artificial turf on the high school's football field. He reported the School District has committed \$250,000 for the project and he is in the process of asking the County for matching funds of \$500,000. He stated that Supervisor Jacob has verbally indicated support. Mr. Vickery answered Council's questions.

During lengthy discussion, Council directed staff to bring the item back to the next meeting. Staff and Mr. Vickery were asked to provide additional information such as:

- What are the funding sources within the School District's and City's budgets
- What are the Joint Use Agreement changes, and have the City Attorney's Office review the changes
- What is the annual maintenance cost for a grass field vs a turf field
- How much additional play time will the field have if it is turf
- Obtain a proposal or letter of support from the School District for the project
- Provide Council with the School District's Capital Improvement Plan and Master Plan

(C) Miramar Power Plant. (Dale)

Council Member Dale provided background information regarding the potential building of a power plant on MCAS Miramar near the Santee border. He noted that NRG Energy is partnering with developer Enpex Inc. to build the new plant and it appears that it will be located near the Fanita Ranch planned development project. His understanding is that the location of the plant was chosen so that the plant would be in close proximity of SDG&E's large gas line and that the plant will be providing energy to the Marine base.

Public Speakers: Don Parent, representing SDG&E, answered Council's questions and stated that SDG&E is not involved in this plant in any way.

ACTION: During discussion, on motion of Council Member Dale, seconded by Vice Mayor Minto, staff was directed to bring back a Resolution stating the City's position against the currently proposed power plant project, with all voting aye.

During further discussion, staff was additionally directed to contact the City's Lobbyist and Congressional Representative regarding the regulatory approval process for the proposed plant, research to obtain a full history of the project, find out the location of the 300 acres the County is turning over for trails and the proximity to the planned power plant, and send a formal letter to SDG&E requesting information on the proposed plant.

5. CONTINUED BUSINESS:

(A) Transportation Improvement Master Plan.

Deputy City Manager/Director of Development Services presented the staff report utilizing a PowerPoint presentation.

Council Members were pleased with the report and the progress on the project. During discussion, the following comments and requests were made:

- Council Member Ryan reminded everyone that during initial negotiations with CALTRANS, it was agreed that the trolley would not preempt traffic.
- Council Member Ryan noted the City Council's policy is to utilize bus turn outs instead having a bus stop on the street which causes traffic backup. Bus turn outs should be included in all projects.
- Council Member Jones requested a follow-up report on the speed surveys conducted on Mast Blvd.
- Council Member Dale asked if the left-hand turn lane on westbound Mast Blvd at West Hills High School could be extended to alleviate traffic buildup on Mast Blvd.
- Council Member Ryan requested an estimated summary time-line for the projects included in the Master Plan.

ACTION: It was moved by Vice Mayor Minto and seconded by Council Member Jones to adopt the Transportation Improvement Master Plan as presented and take appropriate action to carry out Council's comments and requests. The motion carried with all voting aye.

6. NEW BUSINESS: None

7. COMMUNICATION FROM THE PUBLIC:

- (A) Elaine Murphy, Santee Historical Society, brought Council up-to-date on the activities of the Santee Historical Society since the passing of Harriette Wade. She informed Council there is a possibility that the County may be looking to remove the Polo Barn.

Staff was asked to research the Polo Barn issue and see what the City could do to assist the Historical Society in obtaining a permanent residence at the Polo Barn.

8. CITY MANAGER REPORTS: None

9. COMMUNITY DEVELOPMENT COMMISSION:
(Note: Minutes appear as Item 1B)

10. SANTEE PUBLIC FINANCING AUTHORITY:
(Note: Minutes appear as Item 1B)

11. CITY ATTORNEY REPORTS: None

12. CLOSED SESSION: None

13. ADJOURNMENT:
There being no further business, the meeting was adjourned at 9:09 p.m.

Date Approved:

Linda A. Troyan, Commission Secretary
and for Authority Secretary Keith Till

MEETING DATE

February 28, 2007

AGENDA ITEM NO.**ITEM TITLE** PAYMENT OF DEMANDS**DIRECTOR/DEPARTMENT**

Tim K. McDermott/Finance

SUMMARY

A listing of checks that have been disbursed since the last Council meeting is submitted herewith for approval by the City Council.

FINANCIAL STATEMENT

Adequate budgeted funds are available for the payment of demands per the attached listing.

RECOMMENDATION

Approval of the payment of demands as presented.

ATTACHMENTS (Listed Below)

- 1) Payment of Demands-Summary of Checks Issued
- 2) Disbursement Journal

Payment of Demands
Summary of Checks Issued

<u>Date</u>	<u>Description</u>	<u>Amount</u>
02/07/07	Accounts Payable	\$1,378,536.75
02/14/07	Accounts Payable	585,003.08
02/15/07	Payroll	<u>413,335.30</u>
	TOTAL	<u>\$2,376,875.13</u>

I hereby certify to the best of my knowledge and belief that the foregoing demands listing is correct, just, conforms to the approved budget, and funds are available to pay said demands.

Tim K. McDermott, Director of Finance

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE **AWARD CONTRACT FOR EMS MEDICAL SUPPLIES TO MULTIPLE VENDORS FOR THE REMAINDER OF FY06/07 THROUGH FY07/08 AND AUTHORIZE CITY MANAGER TO APPROVE SUBSEQUENT CONTRACT RENEWALS**

DIRECTOR/DEPARTMENT Interim Chief Mike Rottenberg, Fire Department

SUMMARY

From 1975 until 2006, Lakeside Fire Protection District purchased all non-pharmaceutical medical supplies for County Service Area (CSA) 69 ambulances as part of its shared costs agreement with Santee. These supplies include bandages, splints, syringes, gloves, instruments, etc. On July 1, 2006, Santee assumed responsibility for 100% of the costs of its two ambulances, including supplies. From that time until the present, the City has been procuring its non-pharmaceutical medical supplies from the Lakeside-approved vendor. The estimated non-pharmaceutical medical supplies cost for Santee's two ambulances is \$75,350.00 through FY07/08. This amount is budgeted in the agreement with CSA-69 and is 100% reimbursable to the City.

In compliance with the City's purchasing ordinance, the Finance Department administered a formal bid process to provide EMS Medical Supplies on an as-needed basis. On January 9, 2007 five bids were received for RFB 06/07-10 for nine different supply categories. Per the requirements for lowest responsive responsible bidder, staff recommends awarding the bid to Progressive Medical International (PMI), Bound Tree Medical LLC and Tri-Anim Health Services Incorporated as outlined on the attached vendor summary.

This item requests approval to expend a total of \$75,350.00 through June 30, 2008 on non-pharmaceutical medical supplies from multiple vendors. This item also authorizes City Manager to approve up to three (3) additional twelve (12) month contract extensions and/or a one time option to extend for 90 days.

FINANCIAL STATEMENT

Sufficient funds are appropriated in the CSA-69 budget for these expenditures. There is no impact to the General Fund.

RECOMMENDATION

Award contracts for EMS Medical Supplies through June 30, 2008 to Progressive Medical International (PMI) for \$67,400.00 for Categories 1, 2, 3, 4, 6 and 7; Bound Tree Medical LLC for \$250.00 for Category 5; and Tri-Anim Health Services Incorporated for \$7,700.00 for Categories 8 and 9; and authorize City Manager to approve up to three (3) additional twelve (12) month contract extensions and/or a one time option to extend for 90 days.

ATTACHMENT (Listed Below)

Vendor Summary

Vendor Summary

VENDOR: Progressive Medical International (PMI)

Category 1 – Airway / Suction:	\$ 4,500.00
Category 2 – Diagnostic Supplies:	\$16,500.00
Category 3 – Immobilization / Extrication / Rescue:	\$ 6,900.00
Category 4 – Intravenous Equipment / Pharmaceuticals:	\$31,000.00
Category 6 – Oxygen / Resuscitation:	\$ 3,700.00
Category 7 – Patient Transport:	\$ 4,800.00
Total:	\$67,400.00

VENDOR: Bound Tree Medical LLC

Category 5 – Kits / Cases	\$ 250.00
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VENDOR: Tri-Anim Health Services Incorporated

Category 8 – Personal / Protective	\$ 5,700.00
Category 9 – Trauma / First Aid Supplies	\$ 2,000.00
Total:	\$ 7,700.00

MEETING DATE **February 28, 2007**

AGENDA ITEM NO.

ITEM TITLE **APPROVING PROFESSIONAL SERVICES AGREEMENTS FOR
LANDSCAPE AND HORTICULTURAL MANAGEMENT SERVICES**

DIRECTOR/DEPARTMENT

John W. Coates, Community Services

SUMMARY

The City recently advertised a Request for Proposals for Landscape and Horticultural Management Services for all City maintained landscaping. Three service areas, City Parks and Facilities, Medians and Parkways, and Landscape Maintenance Districts, were identified in the Request for Proposals.

Of the eight proposals received, six were deemed responsive to the requirements outlined in the Request for Proposals. Each firm's proposal was rated based upon several factors including cost of services, maintenance methods, project management approach, project experience and technical expertise.

Staff is recommending awarding a Professional Services Agreement to the highest rated firm for each of the three landscape maintenance service areas.

FINANCIAL STATEMENT

Funding for the current fiscal year portion of these Agreements is provided in the City's approved FY 06-07 budget. Adequate funds will be budgeted in FY 07-08 and FY 08-09.

RECOMMENDATION

Approve a Professional Services Agreement with Steven Smith Landscaping, Inc. for a fee not to exceed \$683,400 for Professional Landscape and Horticultural Management Services for City Parks and Facilities for the 28-month period ending June 30, 2009 and two one-year renewal options, should the City opt to do so.

Approve a Professional Services Agreement with American Landscape Management, Inc. for a fee not to exceed \$287,110 for Professional Landscape and Horticultural Management Services for Medians and Parkways for the 28-month period ending June 30, 2009 and two one-year renewal options, should the City opt to do so.

Approve a Professional Services Agreement with Benchmark Landscape Companies for a fee not to exceed \$626,982 for Professional Landscape and Horticultural Management Services for Landscape Maintenance Districts for the 28-month period ending June 30, 2009 and two one-year renewal options, should the City opt to do so.

Authorize the City Manager to execute the three Agreements; and

Authorize the City Manager to execute two one-year renewals at the City's option; and

Authorize the City Manager to approve change orders up to ten percent of each contract amount.

ATTACHMENTS

Staff report

Bid Comparison

**City of Santee
Landscape and Horticultural Management Services
Staff Report
February 28, 2007**

Background

The City has traditionally contracted with the lowest bidder to provide landscape maintenance services to all public property. The quality of the landscape maintenance services with the last three contractors has been sub-standard. The most recent contract was terminated mid-term due to the contractor's inability to meet the City's expectations.

Current Status

In an attempt to create interest with high quality landscape contractors in a competitive environment, staff publicly advertised a Request for Proposals for Landscape and Horticultural Management Services for all City maintained landscaping. The utilization of a Request for Proposals, rather than an award based solely on low bid enabled the City to consider other factors including the firm's maintenance methods, project management approach, experience, technical expertise and cost of services. Rather than identifying mandated maintenance tasks and frequencies, the Request for Proposals asked the proposing firm to identify how they planned to achieve specific outcomes, or standards of care. Three separate service areas were identified in an attempt to create interest with a variety of landscape management firms with different areas of expertise. The three service areas were identified as City Parks and Facilities, Medians and Parkways, and Landscape Maintenance Districts in the Request for Proposals. Additionally, the term of the initial agreement was lengthened from twelve months to twenty-eight months to create incentives for the proposing firm to invest in the necessary manpower and equipment to efficiently complete the work.

Staff received eight responses to the Request for Proposals. One was incomplete and one was submitted after the deadline. The remaining six proposals were evaluated by a staff committee from the Community Services and Finance Departments. The committee identified the top rated firm for each area, met with the firm's management team to review their maintenance management approach, and toured various areas currently maintained by each firm.

For Service Area 1, City Parks and Facilities, the highest rated firm is Steven Smith Landscaping.

For Service Area 2, Medians and Parkways, the highest rated firm is American Landscape Management.

For Service Area 3, Landscape Maintenance Districts, the highest rated firm is Benchmark Landscape Companies.

The top rated firms for Service Area 1 and Service Area 2 were also the low bidders. (See attached Bid Sheet.) Staff has negotiated a fair and reasonable fee schedule with each firm for their services. Staff has also negotiated no fee increases on any of these Agreements during

their initial twenty-eight month term. Future increases in the renewal periods will be capped at the annual San Diego County Consumer Price Index and are at the discretion of the City.

Fiscal Impacts

The total annual costs of all three proposed Agreements is \$678,288. Under the prior low bid system, the total costs for landscape maintenance services totaled \$570,169 for a total difference of \$108,119. A portion of the increase will be absorbed from current assessments and reserves within various Landscape Maintenance District funds. The net impact to the General Fund is an increased cost of approximately \$46,000 in FY 07-08.

**Landscape and Horticultural
Management Services
RFP
Evaluation Criteria**

- Project Experience, Technical Expertise and References
- Implementation Methodology
- Project Management Staff Experience and Professional Qualifications
- Costs of Services*

Proposer	Area 1 Parks	Area 2 ROW/Medians	Area 3 LMD
Smith	\$ 683,400.00	\$ 397,724.00	\$ 344,962.00
American	\$ 847,148.00	\$ 287,110.00	\$ 566,561.00
Benchmark	\$ 1,396,909.00	\$ 646,900.00	\$ 626,982.00
Broyles	\$ 763,101.00	\$ 592,062.00	\$ 497,504.00
Westturf	\$ 756,290.00	\$ 849,244.00	\$ 578,280.00
Aztec	\$ 1,144,909.00	\$ 833,589.00	\$ 1,021,602.00

* These costs include projected extra work for supplies and special projects

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE AUTHORIZATION TO INCREASE STAFF'S AUTHORITY TO APPROVE CONSTRUCTION CONTRACT CHANGE ORDERS FOR ARCHER WESTERN IN AN AMOUNT EQUAL TO REIMBURSEMENTS RECEIVED FROM OUTSIDE AGENCIES FOR THE FORESTER CREEK IMPROVEMENT PROJECT, CIP 2002-21.

DIRECTOR/DEPARTMENT Gary Halbert, Development Services

SUMMARY

This item requests that City Council approve an increase in the amount authorized for construction change orders. At the time of project award, Council approved \$1 Million in funds and authorized staff to approve change orders up to this amount. The construction contract includes relocation of several utility facilities at the cost of outside agencies, including Padre Dam, the County of San Diego and Caltrans. Construction change orders have been required on these facilities or have been requested by the facility owner. In addition, SDG&E and AT&T have requested that the contractor perform work on their behalf. Each agency has agreed to reimburse the City for the cost of these change orders.

Change orders requested or agreed to by Padre Dam, SDG&E, Caltrans and the County of San Diego total \$430,000 to date. It is anticipated that additional change orders will be required or requested by these agencies. Staff requests that Council increase the authorized amount of change orders by the amount reimbursed by these outside agencies. This change will not result in a net impact to the project budget because no additional City funds will be required.

FINANCIAL STATEMENT

No net financial impact to City, change orders approved for outside agencies will be fully reimbursed by those agencies.

RECOMMENDATION

Approve an increase in construction change order authorization equal to the amount reimbursed by outside agencies for the Forester Creek Improvement Project, CIP 2002-21 and authorize the Director of Finance to appropriate the additional funds received to the Forester Creek project.

ATTACHMENTS

Resolution

**RESOLUTION AUTHORIZING AN INCREASE IN STAFF'S AUTHORITY TO APPROVE
CONSTRUCTION CONTRACT CHANGE ORDERS FOR ARCHER WESTERN IN AN
AMOUNT EQUAL TO REIMBURSEMENTS RECEIVED FROM OUTSIDE AGENCIES FOR
THE FORESTER CREEK IMPROVEMENT PROJECT, CIP 2002-21.**

WHEREAS, City Council awarded the construction contract on September 28, 2005 for the construction of Forester Creek Improvements, CIP 2002-21 and authorized staff to approve change orders totaling \$1 Million; and

WHEREAS, Council approved Agreements with outside agencies, including Padre Dam, Caltrans, SDG&E and the County of San Diego to include in the awarded contract work behalf of these agencies; and

WHEREAS, change orders have been required or have been requested on work for which these outside agencies are responsible and the Agreements require that the outside agencies reimburse the City for the cost of this work; and

WHEREAS, staff requests authorization to increase the total amount of construction change orders to be approved by staff in an amount equal to that reimbursed by outside agencies;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that:

Staff is authorized to approve construction change orders in an amount equal the total amount of change orders reimbursed by outside agencies and \$1 Million in City funds.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 28th day of February 2007, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

LINDA A. TROYAN, CITY CLERK

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE AUTHORIZATION FOR STAFF TO APPROVE ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES FROM PBS&J IN AN AMOUNT EQUAL TO THAT REIMBURSED BY OUTSIDE AGENCIES FOR THE FORESTER CREEK IMPROVEMENT PROJECT, CIP 2002-21.

DIRECTOR/DEPARTMENT Gary Halbert, Development Services

SUMMARY

This item requests City Council approve an increase in the amount authorized for change orders to the construction management contract with PBS&J. At the time of project award, Council approved a contract with PBS&J in the amount of \$1,781,000. During the course of construction, the construction manager has performed additional work on behalf of Padre Dam and Caltrans, including preparation of change orders and inspection. Padre Dam and Caltrans have agreed to reimburse the City for the cost of the construction management on the facilities for which they are responsible.

Padre Dam and Caltrans have reimbursed the City a total of \$230,000 for the services performed by PBS&J during construction of their facilities to date. It is anticipated that additional services will be required for these agencies. Staff requests that Council increase the amount authorized for change orders by the amount of reimbursement provided by these outside agencies. This change will not result in a net impact to the project budget because no additional City funds will be required.

FINANCIAL STATEMENT

No net financial impact to City, change orders approved for outside agencies will be fully reimbursed by those agencies.

RECOMMENDATION

Approve an increase in construction change order authorization equal to the amount reimbursed by outside agencies for the Forester Creek Improvement Project, CIP 2002-21 and authorize the Director of Finance to appropriate the additional funds received to the Forester Creek project.

ATTACHMENTS

Resolution

**RESOLUTION AUTHORIZING STAFF TO APPROVE ADDITIONAL CONSTRUCTION
MANAGEMENT SERVICES FROM PBS&J IN AN AMOUNT EQUAL TO THAT
REIMBURSED BY OUTSIDE AGENCIES FOR THE FORESTER CREEK IMPROVEMENT
PROJECT, CIP 2002-21.**

WHEREAS, City Council awarded the construction contract and the construction management contract on September 28, 2005 for the construction of Forester Creek Improvements, CIP 2002-21; and

WHEREAS, Council approved Agreements with Padre Dam and Caltrans to include in the awarded contract work behalf of these agencies; and

WHEREAS, construction management services have been required to administer work for which Padre Dam and Caltrans are responsible and the Agreements require that each reimburse the City for the cost of these services; and

WHEREAS, staff requests authorization to approve additional services to the construction management contract in an amount equal to that reimbursed by outside agencies;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that:

Staff is authorized to approve additional services to construction management contract in an amount equal the amount reimbursed by outside agencies.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 28th day of February 2007, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

LINDA A. TROYAN, CITY CLERK

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE APPROVAL OF THE REDUCTION OF RETENTION FOR THE CITYWIDE PAVEMENT REPAIR & REHABILITATION PROJECT, CIP 2006-05.

DIRECTOR/DEPARTMENT Gary Halbert, Development Services

SUMMARY

This item requests that City Council approve a reduction in the retention for the Citywide Pavement Repair & Rehabilitation Project. The construction contract for the Citywide Pavement Repair & Rehabilitation Project was awarded to Sim J. Harris, Inc. on November 8, 2006. The work is now 60 percent complete and scheduled to be completed in May 2007. Sim J. Harris, Inc. has requested the City to reduce the retention from 10 percent to 5 percent pursuant to the terms of the construction contract. Staff believes satisfactory progress has been made and recommends that the contractor's request to reduce retention be approved.

FINANCIAL STATEMENT

None

RECOMMENDATION

Approve the reduction of retention for the Citywide Pavement Repair & Rehabilitation Project to five percent.

ATTACHMENTS

None

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE APPROVAL OF THE EXPENDITURE OF \$101,532.25 TO PAY FOR JANUARY 2007 LEGAL SERVICES AND RELATED COSTS

DIRECTOR/DEPARTMENT Tim K. McDermott/Finance

SUMMARY

Legal service billings proposed for payment for the month of January 2007 total \$101,532.25 as follows:

- 1) General Retainer Services - \$13,918.48
- 2) Labor & Employment - \$2,747.40
- 3) Litigation & Claims - \$2,871.00
- 4) Special Projects (General Fund) - \$25,994.75 (includes \$2,160.00 in outside consultant services for the MSCP Subarea Plan)
- 5) Special Projects (Town Center Park) - \$312.80
- 6) Community Development Commission - \$13,521.59 (includes \$9,840.00 in outside consultant services for the Las Colinas expansion matter)
- 7) Community Development Commission – Housing (MHFP litigation) - \$19,359.43 (includes \$3,414.22 in outside consultant services)
- 8) Applicant Initiated Projects (paid from developer deposits) - \$22,806.80

FINANCIAL STATEMENT

Account Description: Legal Services

Account Number: Various accounts

	<u>AMOUNT</u>	<u>BALANCE</u>
General Fund:		
Original Budget	\$326,000.00	
Revised Budget	326,000.00	
Prior Expenditures	(246,189.17)	
Current Request	(45,531.63)	\$ 34,279.20
Special Services (excluding applicant initiated items):		
Original Budget	\$ 232,000.00	
Revised Budget	337,366.90	
Prior Expenditures	(161,639.08)	
Current Request	(33,193.82)	\$ 142,534.00

RECOMMENDATION

Approve the expenditure of \$101,532.25 for January 2007 legal services and related costs.

ATTACHMENTS (Listed Below)

- 1) Legal Services Billing Summary

MEETING DATE: February 28, 2007

AGENDA ITEM NO.

ITEM TITLE PUBLIC HEARING APPROVING THE ENGINEER'S REPORT, THE FY2006-07 ANNEXATION AND SETTING OF ASSESSMENT RATES FOR THE RIVERWALK SUBDIVISION (TM04-01) TO THE TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT

DIRECTOR/DEPARTMENT Tim K. McDermott, Director of Finance

SUMMARY On January 10, 2007 the City Council initiated proceedings, ordered and preliminarily approved the Engineer's Report and adopted a Resolution of Intention to annex the Riverwalk subdivision as a new zone (Zone G) to the Town Center Landscape Maintenance District ("TCLMD") for FY2006-07. Council also set February 28, 2007 as the date for the required Public Hearing.

Riverwalk is a 218 unit residential project off Riverwalk Drive. Improvements have been installed, and conditions of project approval require that it join the TCLMD. While annexed to the TCLMD, there will be no annual assessments on Riverwalk at this time because its homeowners' association will pay for maintenance expenses. If not maintained to City standards, the City reserves the right to assume maintenance responsibilities and assess the homeowners accordingly. The developer has submitted ballots on the issue of the annexation and assessments pursuant to California Constitution, article XIII D, and Proposition 218.

Council action is needed following tonight's hearing. Ballots submitted will be tallied and the results will be recorded. A simple majority of the ballots submitted, weighted on the basis of the dollar amount assessed to the parcel, is required to render a decision. While assessments will be a "zero" amount and Council will annex the new zone to the TCLMD, property owners must still vote on the issue of the assessments. If ballots submitted in opposition are more than ballots submitted supporting the assessments, the assessments cannot be levied in the future if needed. If ballots submitted supporting the assessments are greater than ballots submitted opposing the assessments, the zone will be annexed and an assessment rate will be established, though no actual assessment will take place at this time.

FINANCIAL STATEMENT No assessment would be assessed on the 218 parcels in Riverwalk because its homeowners' association will provide for maintenance. If the City needed to assume maintenance, the annual assessment would be established as a maximum of \$117.08 per unit in FY2006-07. This maximum assessment rate may be increased no more than 2% each year with City Council approval in order to account for long term inflation effects. Future assessments will be based on future maintenance costs, and will not exceed the maximum assessment discussed above without property owner approval via a ballot process. All costs related to this annexation have been paid from funds collected from the developer.

RECOMMENDATION 1) Conduct and close Public Hearing; 2) Adopt Resolution approving the Engineer's Report; 3) Tally votes; and 4) Adopt Resolution declaring the assessment ballot results and confirming or denying the assessment diagram and levy, as applicable, based on the outcome of the property owner ballot protest procedure.

ATTACHMENTS (Listed Below)

Map
Engineers Report
Resolutions (2)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA APPROVING THE ENGINEER'S REPORT FOR THE
ANNEXATION OF THE RIVERWALK SUBDIVISION (TM04-01) TO THE
TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT

WHEREAS, the City Council of the City of Santee, pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the "Law"), did by previous Resolution initiate proceedings and order the preparation of an Engineer's Report for the annexation of a new zone, the **Riverwalk Subdivision (TM04-01) ("Zone G")**, to an existing assessment district known and designated as: **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** (hereinafter "District"); and,

WHEREAS, the Engineer's Report has been presented to this City Council as required by the Law and as previously directed by Resolution; and

WHEREAS, this City Council has examined and reviewed the Engineer's Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments have been spread in accordance with the special benefits received from the maintenance to be performed, as set forth in said Engineer's Report.

NOW, THEREFORE, BE IT RESOLVED, as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That the Engineer's Report as presented, consisting of:

A. plans and specifications of the maintenance of the improvements to be performed;

B. estimates of the cost of the maintenance of the improvements to be performed, including the cost of incidental expenses in connection therewith, and including that portion of the costs and expenses representing the special benefit to be conferred by such maintenance of the improvements on the parcels within Zone G of the District;

C. a diagram of Zone G, which also shows the boundaries and dimensions of the respective subdivisions of land within Zone G, as the same existed at the time of the passage of the Resolution of Intention, with each of the subdivisions given a separate number upon such diagram;

D. a description of the maintenance of the improvements to be performed; and

RESOLUTION NO. _____

E. the proposed assessment of the assessable estimated cost and expenses of the maintenance of the improvements upon the parcels in Zone G in proportion to the estimated special benefits to be conferred on such parcels by such maintenance, is hereby approved, and is ordered to be filed in the Office of the City Clerk as a permanent record and is to remain open to public inspection.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 28th day of February, 2007, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

LINDA TROYAN, CITY CLERK

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
DECLARING THE RESULTS OF THE ASSESSMENT BALLOT TABULATION FOR
THE ANNEXATION AND SETTING OF ASSESSMENT RATES FOR ZONE G -
RIVERWALK (TM04-01) TO THE TOWN CENTER LANDSCAPE MAINTENANCE
DISTRICT**

WHEREAS, the City Council of the City of Santee, has initiated proceedings for the annexation and subsequent annual levy of assessments for a proposed new zone entitled **Zone G – Riverwalk** (TM04-01) (“Zone G”) to an existing street lighting and landscaping district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, Article XIII D of the California Constitution, and the Proposition 218 Omnibus Implementation Act (commencing with California Government Code Section 53750) (collectively the “Law”), in what is known as designated as: **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** (“District”); and

WHEREAS, the City Council ordered the preparation of an Engineer’s Report and the Director of Finance filed with this City Council said Report pursuant to the Law for its consideration and subsequently thereto this City Council did adopt its Resolution of Intention to levy and collect assessments relating to Zone G of the District, and did give notice to property owners within the territory to be annexed into the District of the time and place for a Public Hearing on all matters relating to the annexation and annual levy of the proposed assessment for Zone G; and

WHEREAS, at the time and place set for the Public Hearing, the Assessment Engineer submitted the final Engineer’s Report (“Report”), which was prepared and contained all of the matters and items called for pursuant to the provisions of the Law;

WHEREAS, at this time this City Council has heard all testimony and evidence, and all assessment ballots submitted and received pursuant to the Law prior to the close of the public hearing have been tabulated by the City Clerk of the City, acting as the tabulation official appointed by the City, all in the manner provided by the Law; and

WHEREAS, the City Clerk has prepared and submitted to this legislative body a Certificate of Tabulation Official and Statement of Assessment Ballots Submitted (the “Certificate of Tabulation Official”), a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, which reflects the results of the tabulation of the assessment ballots; and

WHEREAS, at this time, based on the Certificate of Tabulation Official this City Council determines that the assessment ballots received by the City in favor of the proposed annexation and assessment and weighted as required by the Law exceed the

RESOLUTION NO. _____

assessment ballots received in opposition to the proposed annexation and assessment and similarly weighted, and therefore, a majority protest pursuant to the Law does not exist; and

WHEREAS, the City Council is now satisfied with the proposed annexation and assessment and all matters contained in the Report as submitted and desires to proceed with the annexation and setting of the annual levy of assessments for said proposed new Zone G.

NOW, THEREFORE, BE IT RESOLVED, as follows:

SECTION 1. That the above recitals are all true and correct.

SECTION 2. That upon the conclusion of the Public Hearing, ballots submitted and not withdrawn in favor of the annexation of Zone G into the District and the assessment and weighted as required by the Law exceed the ballots submitted in opposition to the annexation of Zone G into the District and the assessment and similarly weighted and it is therefore determined that a majority protest pursuant to the Law does not exist.

SECTION 3. That the ballot protest procedure undertaken pursuant to the Law for the proposed new zone has been completed, and the results totaled at this Public Hearing, the outcome of which will be recorded in the official minutes of the City Council of the City of Santee and which will govern the Fiscal Year 2006-07 levy for new assessments.

SECTION 4. That the proposed new zone entitled **Zone G – Riverwalk** is hereby annexed to the District.

SECTION 5. The Report, as now submitted, is hereby approved and such Report shall stand as the report as required by the Law for all future proceedings for Zone G.

SECTION 6. That this City Council hereby confirms the assessments as submitted, including an annual two percent (2%) maximum annual increase for inflation, and orders the annual levy of the assessment for the ensuing fiscal year and in the amounts as set forth in the Report and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

SECTION 7. That the assessments as set forth and contained in the Report are hereby confirmed and adopted by this City Council, but shall not be levied upon property owners in Zone G during Fiscal Year 2006-07.

SECTION 8. That the adoption of this Resolution constitutes the levy of the assessments for the Fiscal Year 2006-07.

RESOLUTION NO. _____

SECTION 9. That the estimates of costs, assessment map, the assessments and all other matters, as set forth in said Report, pursuant to Law, as submitted, are hereby approved, adopted and confirmed by this City Council.

SECTION 10. That the maintenance of improvements contemplated by the Resolution of Intention shall be performed pursuant to Law and the County Auditor shall enter on the County Assessment Roll the amount of the assessment and said assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the Director of Finance of said City.

SECTION 11. That the Director of Finance has established a special fund known as the **TOWN CENTER LANDSCAPE MAINTENANCE DISTRICT** into which the Director of Finance shall place all monies collected by the Tax Collector pursuant to the provisions of this Resolution and law, and said transfer shall be accomplished as soon as said monies have been made available to said Director of Finance.

SECTION 12. That the City Clerk is hereby ordered and directed to file the assessment map and assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

SECTION 13. That a certified copy of the assessment map and assessment roll shall be filed in the offices of the Director of Finance, with a duplicate copy on file in the office of the City Clerk and open for public inspection.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 28th day of February, 2007, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

RESOLUTION NO. _____

ATTEST:

RANDY VOEPEL, MAYOR

LINDA TROYAN, CITY CLERK

RESOLUTION NO. _____

**CERTIFICATE OF TABULATION OFFICIAL AND STATEMENT OF
ASSESSMENT BALLOTS SUBMITTED**

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.
CITY OF SANTEE)

The undersigned, the City Clerk and duly authorized tabulation official appointed by the City council of the City of Santee, DOES HEREBY CERTIFY that pursuant to the provisions of Article XIII D of the California Constitution and the Proposition 218 Omnibus Implementation Act (California government Code section 53750 and following), I did tabulate the assessment ballots timely submitted in the assessment ballot proceedings pertaining to Zone G – Riverwalk of the Town Center Landscape Maintenance District.

I FURTHER CERTIFY that this Statement of Assessment Ballots Received shows the assessment ballots submitted in favor of the annexation and assessment and the assessment ballots submitted in opposition to the annexation and assessment, each total weighted according to the financial obligation of the affected properties for which the assessment ballots were submitted.

Total assessment ballots distributed	
Total assessment ballots received	
Assessment ballots received in favor of the proposed annexation and assessment	
Weighted value of assessment ballots received in favor of the proposed annexation and assessment	
Assessment ballots received in opposition to the proposed annexation and assessment	
weighted value of assessment ballots received in opposition to the proposed annexation and assessment	

This certification is executed this _____ day of _____, 2007, in Santee, California.

Linda Troyan, City Clerk

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE PUBLIC HEARING TO ASSESS AND PRIORITIZE COMMUNITY DEVELOPMENT AND HOUSING NEEDS AS DESCRIBED IN THE CONSOLIDATED PLAN AND TO SOLICIT PROPOSALS FOR PROGRAM YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING AND HOME FUNDS

DIRECTOR/DEPARTMENT Tim K. McDermott/Finance

SUMMARY The Community Development Block Grant (CDBG) program is a federal program administered by the U.S. Department of Housing and Urban Development (HUD). The primary purpose of this program is to assist in the development of viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low and moderate income persons.

At this time the federal budget for CDBG Program Year 2007 has not been enacted by Congress. Based on recent trends staff has estimated the City will likely experience a 10% reduction in funding from the prior year. Based on this assumption, the Program Year 2007 allocation is estimated to be \$305,400 (which includes \$11,608 in program income received over the past year). \$14,330 in unspent prior year funding is available for reallocation to Public Facility projects, for a total estimated amount available for allocation of \$319,730. There is a 15% cap on the amount of CDBG funds which can be allocated to Public Service activities and a 20% cap on Administrative activities. A summary of the estimated allocation and requests for funding is as follows.

Public Services activities (maximum allocation)	\$45,810
<i>Total Requests for Public Services:</i>	<i>\$ 60,500</i>

Administrative activities (maximum allocation)	\$61,080
<i>Total Requests for Administrative activities:</i>	<i>\$61,080</i>

Public Facilities (assumes Public Services and Admin funded at max.)	\$212,840
<i>Total Requests for Public Facilities:</i>	<i>\$212,840</i>

The purpose of this public hearing is to solicit input on CDBG and HOME funding as it relates to community and housing needs. No funding decisions will be made at this meeting. At the next public hearing on March 14, 2007 Council will be asked to determine project allocations to be included in the annual Action Plan for fiscal year 2007-08.

FINANCIAL STATEMENT No fiscal impact at this time.

RECOMMENDATION Continue the public hearing to March 14, 2007 at which time funding allocations will be made.

ATTACHMENTS (Listed Below)

- 1) Staff Report
- 2) Exhibit A – CDBG Program Requirements
- 3) Exhibit B – Census Map
- 4) Summary of Requests
- 5) Applications for Funding

STAFF REPORT

PUBLIC HEARING TO ASSESS AND PRIORITIZE COMMUNITY DEVELOPMENT AND HOUSING NEEDS AS DESCRIBED IN THE CONSOLIDATED PLAN AND TO SOLICIT PROPOSALS FOR PROGRAM YEAR 2007 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDS

CITY COUNCIL MEETING FEBRUARY 28, 2007

A. CDBG BACKGROUND

The Community Development Block Grant (CDBG) program is administered by the U.S. Department of Housing and Urban Development (HUD). Cities with over 50,000 in population are provided the opportunity to apply for "entitlement" monies. Entitlements are based on a formula that weighs population, the extent of poverty, housing overcrowding, and age of housing. Each city must develop a five-year Consolidated Plan and a one-year Action Plan based on input received from citizens. The projects funded in the annual Action Plan must have been identified as an unmet need in the Consolidated Plan. A synopsis of the annual Action Plan must be published community-wide in order to afford affected citizens a time frame for review and commentary. After review of public comments, the plan is forwarded to HUD with the required grant application.

B. CDBG PROGRAM GUIDELINES

CDBG activities proposed by the City must meet CDBG regulations regarding program objectives and eligibility criteria. Determination of project eligibility is basically a two step process. Each program/project must meet one of the three National Objectives of the CDBG program, and it must also be listed in the regulations as an appropriate activity. (A list of eligible and ineligible activities is included in this Staff Report as Exhibit A.)

The primary CDBG objective is the development of viable communities, including decent housing and a suitable living environment, and expanding economic opportunity, principally for persons of low and moderate income. Each activity must meet one of the following three national objectives:

- i) Benefit to low and moderate income families;
- ii) Aid in the prevention or elimination of slums or blight; and
- iii) Community needs having a particular urgency.

1. Low and Moderate Income Benefit

At least 70 percent of the grantee's allocation must be spent for activities benefiting low and moderate-income City residents. The three most common ways of meeting this objective are:

- a. Activities that benefit an area dominated by a low income population. (Census Tract Map included as Exhibit B shows areas of low income population.)
- b. Activities requiring income data for each applicant.
- c. Activities that benefit a limited clientele who are generally presumed to be principally low and moderate income. Categories of limited clientele allowed by HUD include abused children, battered spouses, elderly persons, handicapped persons, homeless persons, illiterate persons and migrant farm workers.

2. Elimination of Slums and Blight

Activities considered to aid in the prevention or elimination of slums or blight are activities within a delineated area which meets a definition of slum, blighted, deteriorated, or deteriorating under state or local law, or where there is a substantial number of deteriorating or dilapidated buildings and improvements are needed throughout the area.

3. Urgent Community Needs

This national objective is rarely used because it is extremely restrictive. The urgent condition must be recent and pose a serious and immediate threat to the health or welfare of the community. There can be no other source of financing available to meet the needs in this category.

C. AVAILABLE FUNDING

At this time the federal budget for CDBG Program Year 2007 has not been enacted by Congress. Based on recent trends staff has estimated the City will likely experience a 10% reduction in funding from the prior year. Based on this assumption, the Program Year 2007 allocation is estimated to be \$305,400 (which includes \$11,608 in program income received over the past year). \$14,330 in unspent prior year funding is available for reallocation to Public Facility projects, for a total estimated amount available for allocation of \$319,730.

As a result of ongoing reductions in CDBG funding experienced by the City, it will not be possible to fund ongoing Public Services programs at last year's levels, fund increased requests, and fund new programs at the requested amounts. The estimated available amount of Public Services funding is \$45,810 (a decrease from \$48,976 in fiscal year 2006-07), while requests for funding total \$60,500, resulting in a \$14,690 shortfall in available Public Services funding.

D. HOME PROGRAM BACKGROUND

The City of Santee has entered into an agreement with the County of San Diego, the City of Encinitas, the City of Carlsbad, the City of La Mesa, the City of San Marcos and the City of Vista to form a Consortium for Federal HOME monies to fund affordable housing programs. The HOME regulations require the City to hold a public hearing to assess and prioritize housing needs as described in the Consolidated Plan for HOME funding for fiscal year 2007-08. The HOME Consortium contract for fiscal year 2007-08 HOME funds will be available in late spring and at that time staff will bring forward a report requesting the City Council's approval of the contract.

E. AVAILABLE HOME FUNDING

The HOME allocation for fiscal year 2006-07 was \$183,019. A similar level of funding allocation is expected for fiscal year 2007-08. The allocation could be applied to the existing Santee First Time Home Buyer Program or reserved for funding for one or more eligible HOME Program uses which may include: housing acquisition/rehabilitation; housing rehabilitation; housing construction; rental assistance; and home ownership assistance. Since program inception, the First Time Home Buyer Program has funded 97 loans.

F. PUBLIC PARTICIPATION AND ALLOCATION PROCESS

Public participation remains an important part of the process. Two public hearings are required to meet the HUD requirement for citizen participation for the CDBG and HOME funds. This public hearing and the public hearing scheduled for March 14, 2007 will complete the public hearing requirements for public participation.

Notice of Request for Proposals for fiscal year 2007-08 was published on December 7, 2006 in the *East County Californian* and posted on the City Website. Notice of the public hearing was published in The San Diego Union Tribune on February 17, 2007 and The *East County Californian* on February 22, 2007, and posted throughout the community in order to solicit maximum citizen input. Council will be asked to make decisions regarding project funding at its next meeting on March 14, 2007.

Attached is the Summary of CDBG Requests and copies of all proposals for the fiscal year 2007-08 CDBG appropriation cycle.

Exhibit A

CDBG PROGRAM REQUIREMENTS

The Community Development Block Grant (CDBG) Program is administered by the U.S. Department of Housing and Urban Development (HUD). Through this program, the federal government provides monies to cities to undertake certain kinds of community development and housing activities.

NATIONAL OBJECTIVES:

Each activity, except planning and administrative activities, must meet one of the CDBG program's three broad National Objectives:

1. Benefit low and moderate income persons,
2. Aid in the prevention or elimination of slum or blight, or
3. Meet community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and no other financial resources are available to meet the need. (A condition will be considered urgent or of recent origin if it developed or became critical within the 18 months preceding the application.)

CITY OF SANTEE PRIORITIES PER THE FIVE YEAR CONSOLIDATED PLAN:

(The Consolidated Plan 2005-2010 may be viewed or purchased from the Finance Department, City of Santee, 10601 N. Magnolia Ave., Santee, CA 92071)

1. Assist lower income renters.
2. Assist lower and moderate income homeowners.
3. Provide housing assistance to the homeless.
4. Assist public and community service providers that enable lower and moderate income residents to remain in their homes.
5. Improve and provide public services and community facilities and infrastructure to serve lower and moderate income persons.
6. Ensure effective use of limited CDBG resources.
7. Promote fair housing.

BASIC ELIGIBLE ACTIVITIES:

Only certain kinds of activities are eligible for funding. These are briefly listed below. However, the regulations contain additional “qualifiers” that may make the activity ineligible:

- (a) Acquisition of property in whole or in part by purchase, long-term lease, donation, or otherwise, of real property for any public purpose, except for the general conduct of government.
- (b) Disposition of real property acquired with CDBG funds through sale, lease or donation, or otherwise; or its retention for public purposes.
- (c) Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements, ***except buildings for the general conduct of government.***
- (d) Clearance, demolition and removal of buildings and improvements including movement of structures to other sites.
- (e) Provision of public services (including labor, supplies and materials) such as those concerned with employment, crime prevention, child care, health care, education, public safety, fair housing counseling, recreation, services for seniors 62 years or older, homeless persons, drug abuse counseling and treatment, energy conservation counseling and testing, emergency food and housing services.
- (f) Interim assistance to correct objective signs of physical deterioration in areas where immediate action is necessary and where permanent improvements will be carried out as soon as practicable; or to eliminate emergency conditions threatening the public health and safety and requiring immediate resolution.
- (g) Payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of CDBG activities.
- (h) Completion of urban renewal projects funded under Title 1 of the Housing Act of 1949, as amended.
- (i) Relocation payments and assistance to displaced individuals, families, businesses, non-profit organizations, and farm operations.
- (j) Payment to housing owners for losses of rental income incurred in holding units for persons displaced by relocation activities.
- (k) Payment of costs in support of activities eligible for funding under the HOME program.

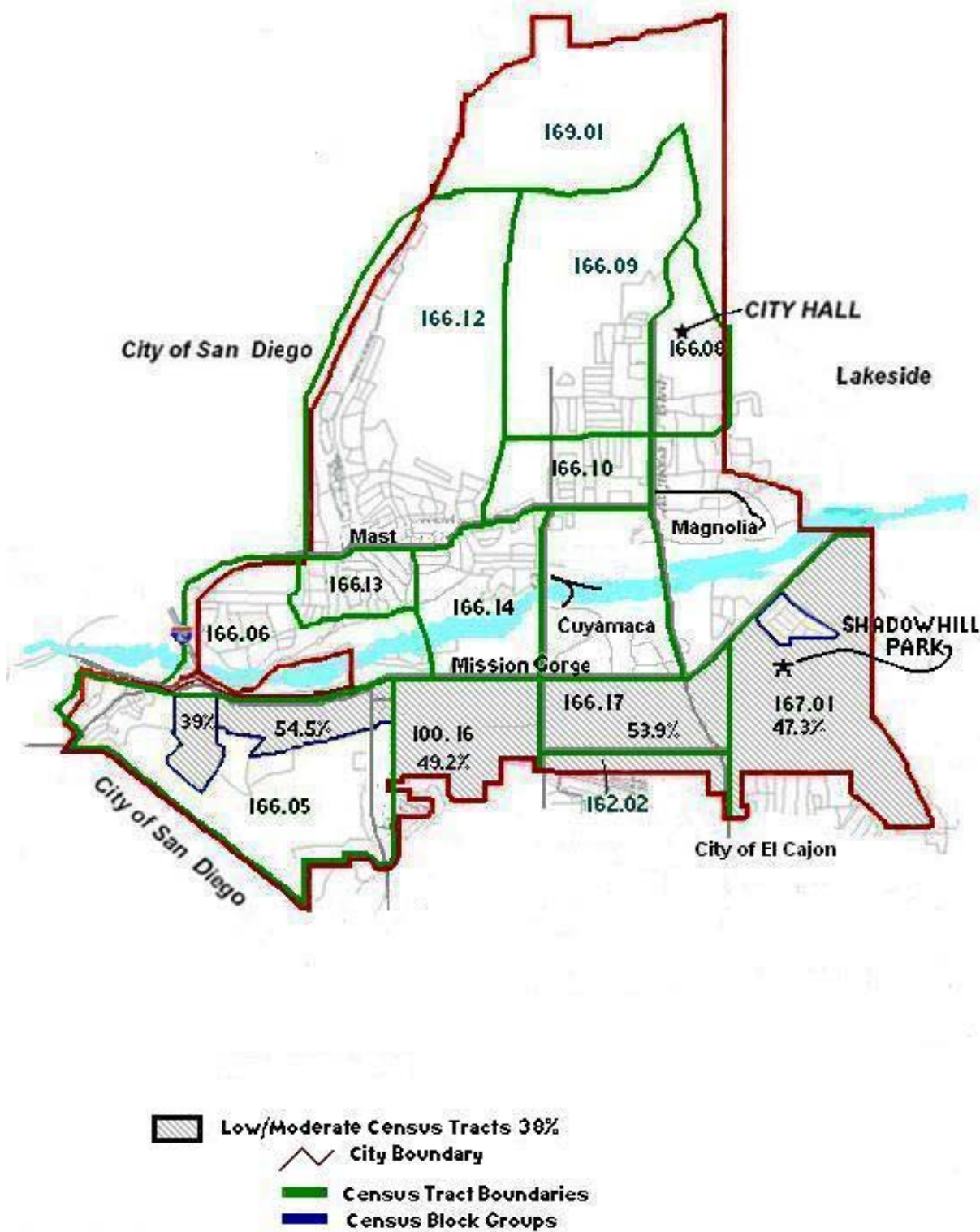
- (l) Acquisition, construction, reconstruction, rehabilitation or installation of the distribution lines and facilities or privately owned utilities.
- (m) The construction of housing assisted under Section 17 of the U.S. Housing Act of 1937.
- (n) Direct assistance to facilitate and expand low- and moderate-income homeownership by subsidizing mortgage rates and principal amounts, financing the acquisition of housing occupied by low and moderate-income persons, acquiring guarantees of financing obtained from private lenders, providing up to 50 percent of down payment, or paying reasonable closing costs.
- (o) Microenterprise assistance to facilitate economic development. ("Microenterprise" is a business having five or fewer employees, at least one of whom is the owner.)
- (p) Provision of technical assistance to public or non-profit entities to increase their capacity to carry out eligible neighborhood revitalization or economic development activities.

INELIGIBLE ACTIVITIES:

The general rule is that any activity not listed in the "eligible activities" section is ineligible. The following identifies specific activities that are ineligible and provides guidance in determining other activities frequently associated with housing and community development.

- (a) The following activities may not be assisted with CDBG funds:
 - Buildings used for the general conduct of government;
 - General government expenses; and
 - Political activities.
- (b) The following activities may not be assisted unless certain criteria are met:
 - Purchase of construction equipment; purchase of furnishings and personal property, unless part of a public service activity or necessary for use by the grantee in the administration of the CDBG program.
 - Repair, operation and maintenance of public facilities, improvements and services, except expenses associated with eligible public services, interim assistance, and office space for CDBG program staff;
 - New housing construction, except under the special provisions provided; and
 - Income payments of subsistence nature.

Exhibit B Program Year 2006



SUMMARY OF REQUESTS

PUBLIC SERVICE PROJECTS	AMOUNT OF REQUEST	FY 2006-07 FUNDING	PROPOSAL	ACCOMPLISHMENTS
1 Santee Ministerial Council "Food Bank"	\$14,000	\$12,000	Emergency food assistance – food (\$12,000) and insurance/admin costs (\$2,000)	FY2005-06 7,108 disadvantaged persons assisted
2 Meals-on-Wheels	\$10,000	\$10,000	Approximately 95 homebound seniors would receive 2 meals per day	FY2005-06 78 persons assisted
3 ElderHelp of San Diego	\$4,500	\$4,500	Approximately 125 homebound seniors would receive case management services	FY2005-06 31 seniors assisted
4 Cameron Family YMCA / Santee Aquatics Center	\$6,000	\$4,500	340 children would receive subsidized swim, gymnastics and fitness classes	FY2005-06 44 children assisted

SUMMARY OF REQUESTS

PUBLIC SERVICE PROJECTS	AMOUNT OF REQUEST	FY 2006-07 FUNDING	PROPOSAL	ACCOMPLISHMENTS
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5	Crisis House "Homeless Prevention and Intervention Project"	\$5,000	\$5,000	Approximately 20 new clients per month would receive intervention services to prevent homelessness	FY 2005-06 242 persons assisted
6	Santee American Youth Soccer (AYSO)	\$5,000	\$5,000	Approximately 80 disadvantaged children would be assisted	FY 2005-06 Assisted 80 disadvantaged youth
7	Center for Community Solutions "Project Safe House"	\$5,000	\$2,976	Provide emergency shelter, clothing, food, counseling and 24-hour hotline support to individuals affected by domestic violence	FY 2005-06 62 persons assisted
8	Santee Boys and Girls Club	\$5,000	\$5,000	Purchase of room size mat for multi-purpose room programming (tumbling, fitness, yoga, etc.)	Serve approx. 1,000 youth annually
9	Santee Communities Against Substance Abuse and Santee Solutions	\$6,000	\$0	Programs creating awareness of the impacts of alcohol, drugs and tobacco	New program for FY 2007-08

Totals: \$60,500 \$48,976

Cap Amount on Public Services: \$45,810

SUMMARY OF REQUESTS

PUBLIC FACILITIES PROJECTS	AMOUNT OF REQUEST	FY 2006-07 FUNDING	PROPOSAL	ACCOMPLISHMENTS
1 City of Santee Development Services Dept.	\$212,840	\$207,537	Shadow Hill & Woodside Avenue Drainage & intersection improvements	N/A
2 Lutheran Social Services "Caring Neighbors Program"	\$0	\$10,000	Minor home repairs	FY 2005-06 Minor repairs made to 7 housing units

Totals: \$212,840 \$217,537

Balance Available for Public Facilities: \$212,840

SUMMARY OF REQUESTS

	ADMINISTRATIVE ACTIVITIES	AMOUNT OF REQUEST	FY 2006-07 FUNDING	PROPOSED USE	ACCOMPLISHMENTS/ OBJECTIVES
1	General Fund Reimbursement "Program Administration"	\$42,176	\$49,156	Funds a portion of the administration costs of the CDBG program	Program administration
2	The Center for Social Advocacy (Formerly Heartland Human Relations and Fair Housing Assn.) "Fair Housing and Tenant/Landlord Mediation Service Program"	\$8,904	\$8,645	Approximately 150 persons would receive fair housing services and landlord tenant counseling	This program is a requirement of CDBG funding. 46 persons received assistance
3	City of Santee Community Services Dept. "Santee Review Newsletter"	\$10,000	\$7,500	4 City newsletters will be published with information on City programs which benefit low and moderate income residents	4 newsletter published annually including information targeting low and moderate income persons and programs

Totals: \$61,080 \$65,301

Cap Amount on Administrative Activities: \$61,080

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE PUBLIC HEARING TO AMEND SECTION 16.20.020 OF THE SANTEE MUNICIPAL CODE (SUBDIVISION ORDINANCE) REGARDING RESIDENTIAL CONDOMINIUM CONVERSIONS

DIRECTOR/DEPARTMENT Gary Halbert, Development Services

SUMMARY

At the March 22, 2006 City Council meeting the City Council directed staff to prepare an Ordinance revising the residential condominium conversions standards as follows:

1. The addition of a requirement that condominium conversion projects include interior and exterior improvements.
2. The increase of relocation assistance from one to three months.
3. The addition of a limitation on the number of units that can be converted to no more than 50 percent of the yearly average of apartment units constructed in the previous two fiscal years.

The revised Ordinance also includes clarifications pertaining to existing requirements that reflect the current Uniform Fire Code and Uniform Building Code pertaining to smoke detectors and emergency access.

The attached ordinance reflects the above referenced changes to the residential condominium conversion standards of the Subdivision Ordinance.

ENVIRONMENTAL REVIEW

The amendment to the Subdivision Ordinance is exempt from the requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) because the changes reinforce existing planning standards and General Plan policies and objectives contained in the Housing Element.

FINANCIAL STATEMENT

Not applicable

RECOMMENDATION

1. Conduct and close the public hearing.
2. Approve Amendment to Section 16.20.020 of the Santee Municipal Code (Subdivision Ordinance).
3. Introduce Ordinance for First Reading (See Item 3A for Ordinance).

ATTACHMENTS

Staff Report
Ordinance
September 14, 2005 CAS/Staff Report
Minutes (9/15/05, 3/8/06, 3/22/06, and 5/10/06)

STAFF REPORT
CONDOMINIUM CONVERSION ORDINANCE AMENDMENT TO SECTION 16.20.020 OF
THE SANTEE MUNICIPAL CODE
CITY COUNCIL MEETING FEBRUARY 28, 2007

Notice of Public Hearing was published in the San Diego Union Tribune on Friday, February 16, 2007. Interested parties were notified by U.S. mail on February 16, 2007.

A. BACKGROUND

The City Council held a special workshop on September 15, 2005 to discuss residential condominium conversions and directed staff to return with a more complete discussion of the issues identified during the workshop.

At the March 22, 2006 City Council meeting, the City Council received a staff report summarizing the policy and directed staff to draft revisions to the residential condominium conversion ordinance linked to future construction of apartments.

ANALYSIS

Compatibility with the General Plan Housing Element The revised ordinance meets the Housing Element Objective 4.0 to maintain the supply of sound, affordable housing in Santee through the conservation of the currently sound housing stock. The revised ordinance is also consistent with Housing Element Program #2 Objective to preserve the existing multifamily rental stock through implementation of the City's Condominium Conversion Ordinance.

Compatibility with the General Plan Community Enhancement Element: Consistent with Community Enhancement Element Objective 5.0 to improve or remove negative visual elements within residential areas, the revised ordinance requires site and architectural improvements.

Compatibility with the General Plan Safety Element: Additional requirements in the revised ordinance related to smoke detectors, fire sprinkler retrofitting, and window or doors to facilitate escape or rescue further Safety Element Objective 4.0 and Policy 4.9 regarding minimization of injuries, loss of life, and property damage resulting from fire hazards.

Environmental: The amendment to the Subdivision Ordinance is exempt from the requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) because the changes reinforce existing planning standards and General Plan policies and objectives contained in the Housing Element.

STAFF RECOMMENDATION

1. Conduct and close the public hearing.
2. Approve Amendment to Section 16.20.020 of the Santee Municipal Code (Subdivision Ordinance)
3. Introduce Ordinance for First Reading (See Item 3A for Ordinance).

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA, AMENDING SECTION 16.20.020 REGARDING RESIDENTIAL
CONDOMINIUM CONVERSION**

WHEREAS, the City Council finds and determines that additional fire safety upgrades are appropriate and necessary when units are converted to condominiums; and

WHEREAS, the City Council seeks to give applicants for condominium conversions further direction on required improvements, particularly interior improvements and exterior improvements to architecture; and

WHEREAS, the City Council recognizes that approval of a residential condominium conversion may potentially cause displacement of existing tenants, which can be costly to tenants who may then be required to relocate; and

WHEREAS, the City Council finds and determines that relocation assistance must be provided to displaced tenants in order to protect the public health, safety and welfare; and

WHEREAS, as required by state law, the San Diego County Regional Airport Authority has received notification of the Municipal Code Amendment together with an application for a Determination of Consistency with the Gillespie Field Comprehensive Land Use Plan, and has not objected to the City moving forward with the Amendment at this time; and

WHEREAS, the City Council recognizes that existing tenants of units subject to conversion may require notice of certain steps in the conversion process over and above the notice required by general state law, so that affected tenants are adequately informed about their rights throughout the conversion process; and

WHEREAS, the City of Santee currently ranks second lowest in the region in the percentage of its housing stock that consists of for-rent apartments, with approximately 16 percent of housing in the City being for-rent apartments; and

WHEREAS, none of the estimated 4,700 housing units currently anticipated to be constructed in the City in the near future will be for-rent apartments; and

WHEREAS, the City Council finds that affordable rental housing, particularly for-rent apartments, is a unique and important product in the City's real estate market,

THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. Section 16.20.020, Subsection (C)(2)(k) is hereby amended in its entirety to read as follows:

“k. Smoke detectors shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When a dwelling unit has more than one story, a smoke detector shall be installed on each story. Smoke detectors shall receive their primary power from the building wiring and shall be equipped with a battery backup. Smoke detectors within bedrooms shall include a visual notification device to notify hearing impaired occupants;”

Section 2. Subsection (C)(2)(l) and (m) is hereby added to Section 16.20.020 to read as follows, and Subsection (C)(2) of Section 16.20.020 is hereby renumbered accordingly:

“(l) Each unit in the building or complex shall be retro-fitted for fire sprinklers, unless the applicant for conversion demonstrates to the satisfaction of the City Council that the costs of retro-fitting a specific building or complex would be

significantly higher than average costs of retro-fitting or would cause unusual structural defects or similar problems;”

“(m)Basements and every bedroom shall have at least one operable window or door approved for emergency escape or rescue. Windows provided for emergency escape or rescue shall comply with minimum sill height and opening size requirements in the prevailing Building Code.”

Section 3. Subsection (C)(3) is hereby added to Section 16.20.020 to read as follows, and Subsection (C) of Section 16.20.020 is hereby renumbered accordingly:

“(3)The project shall include interior and exterior improvements as may be required by the City Council for approval of the conversion. Required interior and exterior improvements may include, but are not limited to: new paint, new roofs, new window treatments, added wainscot materials, trellises, added wall or window articulation, and other similar improvements. The following building components or systems must be replaced if they have been identified as having 5 years or less of remaining life in the physical inventory report: roof coverings, exterior wall and floor coverings and finishes, water systems, water heating systems, metal drain piping systems, and cooling and heating mechanical systems.”

Section 4. Subsection (C)(6) is hereby added to Section 16.20.020 to read as follows, and Subsection (C) of Section 16.20.020 is hereby renumbered accordingly:

“(6)Each tenant of an apartment which the owner intends to convert to a condominium who receives a notice of intent to convert pursuant to Section 66452.9 of the Subdivision Map Act, and who is still a tenant in the apartment building at the time the City approves the conversion pursuant to this Chapter shall be entitled to receive a sum equal to three months’ rent, based on the current area “fair market rent” for apartment size, as established by the U.S. Department of Housing and Urban Development. The appropriate sum under this subdivision shall be paid by the subdivider to each tenant no later than the date on which the 30- or 60-Day Notice to Vacate, as applicable under the Subdivision Map Act, is served to the tenant. The subdivider shall provide notice to the tenant of his/ her right to receive assistance under this subdivision pursuant to the tenant notice requirements of this Chapter and of the Subdivision Map Act.”

Section 5. Section 16.20.020, subsection (E)(1) is hereby amended in its entirety to read as follows:

“(1)That the conversion of the residential project is desirable and consistent with the goals and objectives in of the Housing Element of the General Plan in that approval of the conversion will not result in the loss of lower income multi-family housing stock in the City, and that it would not result in exceeding a limit on conversion of existing apartment units to condominiums, where such limit is the number equal to 50% of the yearly average of apartment units constructed in the previous two fiscal years;”

Section 6. The City Council hereby authorizes and directs the City Clerk to undertake such actions as may be reasonably necessary or convenient to the carrying out and administration of the actions authorized by this Ordinance.

Section 7. This Ordinance shall become effective thirty (30) days after its passage.

Section 8. The City Clerk is directed to publish notice of this Ordinance as required by law.

INTRODUCED AND FIRST READ at a Regular Meeting of the City Council of the City of Santee, California, on the 28th day of February, 2007, and thereafter

ADOPTED at a Regular Meeting of said City Council held on the 14th day of March, 2007, by the following vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

LINDA A. TROYAN, CITY CLERK

MEETING DATE: February 28, 2007

AGENDA ITEM NO.

ITEM TITLE **APPOINTMENT OF ALTERNATE REPRESENTATIVE ON SAN
DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG)**

DIRECTOR/DEPARTMENT Randy Voepel, Mayor
Jack Dale, Council Member

SUMMARY

At its January 24, 2006 City Council meeting, Council appointed Council Member Dale as the City's representative, Council Member Ryan as 1st Alternate and Mayor Voepel as the 2nd Alternate on the San Diego Association of Governments (SANDAG) Board. It is now the desire to appoint Council Member Minto as the 2nd Alternate.

FINANCIAL STATEMENT N/A

RECOMMENDATION

Appoint Council Member Minto as the City's "2nd Alternate" Representative on SANDAG.

ATTACHMENTS (Listed Below)

MEETING DATE**AGENDA ITEM NO.****ITEM TITLE Synthetic Turf Fields – Santana High School Football Stadium****DIRECTOR/DEPARTMENT** John W. Coates, Community Services**SUMMARY**

At the February 14, 2007 City Council Meeting, Council directed staff to return to the next meeting with additional information regarding Santana High School's request for funding assistance with a synthetic field at their football stadium.

Staff has obtained the following information from Grossmont Union High School District personnel:

- The estimated costs for the Santana project are \$1 million. The school's estimate is derived from a similar project at Valhalla High School, which is attached. The City of Santee is currently estimating approximately \$800,000 for a similarly sized field, however believes the actual cost could possibly come in slightly less.
- The Grossmont Union High School District has indicated they have \$250,000 available for the project. The District's source of funds is from discretionary State of California allocated CIP funds. These funds cannot be used for ongoing operational costs such as School Resource Officers.
- It is estimated the field would be available for expanded use on nights and weekends throughout the year for community groups, and an additional twelve weeks per year when the field was previously closed for rest and rehabilitation.
- The additional field capacity would allow for Santee Youth Football and Cheer to transfer practices and games from West Hills High School. This transfer would increase the access for youth soccer at West Hills High School and assist with balancing the demand on the new football/soccer field planned for Town Center Community Park.

At the last meeting, the City Council directed staff to work with the City Attorney to identify the portions of the Joint Use Agreement that would need to be amended in order to ensure that the City's funding of the turf field provided a direct benefit to the residents of the City. Staff and the City Attorney's office have identified three key elements of the Joint Use Agreement that will need to be amended.

First, the Agreement will need to be amended to guarantee the City and its residents a specific level of access to the field commensurate with the community's need for access to the field. Currently, the Agreement gives the District priority over City use of the field and only guarantees the City access to the football field/stadium four times a year. Staff will need to determine the exact level of guaranteed access that will be required.

Second, the Agreement will need to be amended to ensure that the City will have no additional maintenance costs related to the turf field. In general, the Agreement places maintenance responsibility on the District. However, certain portions of the Agreement allow some costs to be passed on to the City, and these portions of the Agreement will need to be addressed to ensure there is no additional cost to the City.

Third, the Agreement will need to be amended to address who pays the cost for field lighting. While other portions of the Agreement require the City to bear lighting costs during City usage of other facilities subject to the Agreement, the Agreement is ambiguous as to who would pay the lighting costs associated with use of the turf field. We recommend that the Council's appropriation of funds be made subject to the successful resolution of these three issues.

FINANCIAL STATEMENT

Park in Lieu fees could be used to fund the City's contribution to this project, assuming enhanced community organization and public access to Santana and other District fields is created from an increase in total field usage capacity and guaranteed through an amended Joint Use Agreement with the District. Park in Lieu fees currently programmed for use at Town Center Park would be transferred to this project, and would be replaced with a future appropriation of redevelopment tax increment.

RECOMMENDATION

Per City Council's direction, allocate \$200,000 toward the Santana synthetic turf field project from Park in Lieu fees contingent upon successfully amending or redrafting the Joint Use Agreement with the District.

ATTACHMENTS (Listed Below)

Estimate for synthetic field and track at Valhalla High School

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE RESOLUTION IN OPPOSITION TO A MAJOR POWER PLANT
IN THE SOUTHEAST CORNER OF MIRAMAR MCAS,
APPROPRIATING FUNDING AND DESIGNATION OF A
STRATEGY TEAM TO SUPPORT THE CITY'S EFFORTS.

DIRECTOR/DEPARTMENT City Manager; City Attorney

SUMMARY

At the last Council meeting, staff was directed to bring back a Resolution stating the City's position against the currently proposed power plant project at Miramar MCAS.

Attached for consideration is a resolution opposing the siting of a major power plant in the Southeast Corner of Miramar MCAS and appropriating funding to support the City's efforts.

Attachment "A" outlines a plan for legal consultant services and recommends formation of a strategy team.

FINANCIAL STATEMENT \$25,000 would be appropriated from the General Fund Reserves, and \$75,000 designated in reserve should additional funding be needed.

RECOMMENDATION

1. Adopt Resolution and authorize the City Manager and the City Attorney to put in place the strategy team outlined in Attachment "A" together as soon as possible.

ATTACHMENTS (Listed Below)

Attachment A – Legal/Consultant Services
Resolution

Attachment "A" to Staff Report

Legal/Consultant Services

The legal process for siting a power plant is very complex and involves a number of regulatory hurdles. Because the proposed power plant project involves a land transfer from the federal government, environmental review must be performed under the National Environmental Policy Act ("NEPA"). In addition, the California Energy Commission ("CEC") has exclusive jurisdiction for power facilities in California and will perform a detailed analysis of the proposed power plant. As part of the CEC process, permits or approvals from other regulatory bodies such as the Air Pollution Control District, the Regional Water Quality Control Board and the Environmental Protection Agency must be obtained. The CEC process also involves an environmental review which serves as a substitute for compliance with the California Environmental Quality Act ("CEQA") Finally, the California Public Utilities Commission ("PUC") must approve any contracts from the purchase of the power generated from the new facility.

Each of the steps described above offers an opportunity for the City to challenge the appropriateness of the proposed project. In order to provide the best possible legal team for the City at the most effective cost, we recommend that the City create a three part legal team. The first part of the legal team will be composed of attorneys at Best Best & Krieger who have specific experience with fighting power plants. These attorneys include Cyndy Day Wilson (NEPA/CEQA), Beth Doris (NEPA/CEQA), Ed Lee (permitting), Eric Garner (water issues), Piero Dallarda (air quality issues) and Vincent Whittaker (litigation). Each of these attorneys has previously worked on power plant issues and has unique expertise that the City can call upon, through the City Attorney, as needed. Because these attorneys bring specialized skills that are beyond the scope of the City's current retainer with Best Best & Krieger, their services will be performed at the rate of \$225 for partners and \$185 for associates. The second part of the legal team will be an attorney with exclusive expertise in the CEC and PUC process. Although we have not yet identified the specific attorney to retain, the rates for this attorney will be considerable, likely in the range of \$400 to \$500 per hour. The third part of the legal team will be an outside consultant familiar with the technical aspects of power plant siting. Again, we have not yet identified the specific consultant to retain, but we anticipate that the rates for this consultant will also be significant, likely in the \$300 per hour range.

Once the team is in place, we will report back to the City Council regarding the legal strategy for challenging the proposed project.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE,
CALIFORNIA OPPOSING THE SITING OF A MAJOR POWER PLANT
IN THE SOUTHEAST CORNER OF MIRAMAR MCAS AND
APPROPRIATING FUNDS TO SUPPORT THE CITY'S EFFORTS**

WHEREAS, the City has recently been made aware of a proposal by ENPEX Corporation to site a 750 megawatt power plant in the southeast corner of Miramar MCAS adjacent to its border with the City of Santee; and

WHEREAS, SDG&E plans to go out to bid for new power capacity of up to 1,000 megawatts in the near future and ENPEX Corporation has stated that they intend to submit a bid for 750 megawatts that would be generated from the proposed power plant; and

WHEREAS, SDG&E already rejected a bid for a substantially similar project in 2004, and ENPEX has since associated with NRG Energy and intends to resubmit a bid for the MCAS Miramar site; and

WHEREAS, NRG Energy is a significant partner in that it holds transferable air-emissions credits from its Encina Power Plant in Carlsbad and these credits could be used to meet regulatory permitting requirements at the Miramar site; and

WHEREAS, the proposed power plant would be a major point source contributor to air pollution and would be sited in close proximity to tens of thousands of residents in the City of Santee; and

WHEREAS, large quantities of liquefied natural gas, potentially in the millions of gallons, would be stored on-site for power generation posing a significant risk to surrounding residents and military facilities; and

WHEREAS, the siting of a major power plant adjacent to the western border of the City of Santee would have a negative effect on property values in the surrounding area.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Santee, California, that:

1. the City of Santee strongly opposes the siting of a major power plant in the Southeast corner of Miramar MCAS, and
2. a total of \$25,000 is hereby appropriated from the General Fund reserves to be expended for consultant services to assist the City's efforts in opposing the siting of a major power plant in the southeast corner of Miramar MCAS and \$75,000 is designated from reserves should additional funding be needed.

ADOPTED by the City Council of the City of Santee, California, at a regular meeting thereof held this 14th day of February, 2007, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

APPROVED:

RANDY VOEPEL, MAYOR

ATTEST:

LINDA A. TROYAN, CMC, CITY CLERK

MEETING DATE February 28, 2007

AGENDA ITEM NO.

ITEM TITLE 2006 EMPLOYEE SERVICE AWARDS

DIRECTOR/DEPARTMENT Keith Till, City Manager

SUMMARY

Nineteen employees were honored for their years of public service to the City of Santee at the 9th Annual Service Awards Ceremony held on February 22nd. The employees honored represent a combined total of 210 years of service. On behalf of the City Council and all City staff, I would like to acknowledge and recognize the following employees with sincere appreciation for their commitment and dedication to our organization and community:

20 Years

Patsy Bell
City Clerk's Office

Arliss Cates
City Manager's Office

Cherie Meek
Community Services

Martin Ortega
Community Services

Sharon Williams
Fire Administration

15 Years

Christine Edwards
Community Services

Mark Ethridge
Community Services

Richard Smith
Fire Department

10 Years

Janet Peterson
Development Services

Suzanne Stephens
Community Services

5 Years

Judy Brown
Finance

Gerardo Cerpa
Development Services

Barbara Crosthwaite
Community Services

Jason Custeau
Fire Department

Justin Matsushita
Fire Department

Tim McDermott
Finance

Linda Rowe
Fire Administration

Carl Schmitz
Development Services

Kathy Valverde
City Manager's Office

FINANCIAL STATEMENT

N/A

RECOMMENDATION

Recognize individuals for years of service.

ATTACHMENTS (Listed Below)

None